

Remarks

In the Office Action, the Examiner rejects claims 1-31 under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,961,731 to Holbrook ("Holbrook").

By this Amendment, Applicants have amended claims 1, 14, 21, and 30 to improve form and canceled claims 20, 22, 28, and 29 without prejudice or disclaimer. Applicants submit that no new matter has been added. Support for the amendments to claims 14 and 21 can be found at, for example, paragraph 0037 of Applicants' specification.

Claims 1-19, 21, 23-27, 30, and 31 are currently pending.

For at least the following reasons, Applicants respectfully traverse the rejection of the claims based on Holbrook.

Claim 1 is directed to a method that includes performing a search to determine documents related to a search query, the search being performed on a database containing a plurality of document categories to obtain a list of search results corresponding to each of at least two of the categories. The plurality of document categories include an image category. The method further includes ranking the lists of search results relative to one another and generating a document in which the search results are placed in an organization determined based, at least in part, on the ranking of the lists of search results.

Holbrook is directed to the organization and presentation of data, including displaying a graphical representation of categories for data elements. (Holbrook, Abstract). Holbrook, however, does not disclose or suggest each of the features

recited in claim 1. For example, Holbrook does not disclose or suggest ranking the lists of search results relative to one another, as recited in claim 1.

Holbrook, as shown in Fig. 4, for instance, describes an interface in which web sites 402 are graphically shown as belonging to parent categories 420. (Holbrook, col. 10, lines 41-43). Parent categories 420, however, are not disclosed or suggested by Holbrook as being ranked relative to one another. Although Holbrook does mention "ranking," the ranking described by Holbrook refers to ranking web sites for a search query to obtain a rank number for the web site. (See Holbrook, column 9, lines 66 and 67; and column 10, lines 34-40). Thus, Holbrook does not disclose or suggest, as is recited in claim 1, obtaining a list of search results corresponding to at least two categories and ranking the lists of search results relative to one another. At most, Holbrook can be said to rank web documents to a search query, but Holbrook does not disclose or suggest ranking lists of web documents to a search query.

In rejecting claim 1, the Examiner points to column 9, lines 2-6 and column 10, lines 34-36 of Holbrook as allegedly disclosing "ranking the lists of search results relative to one another," as recited in claim 1. (Office Action, page 3). Applicants disagree with the Examiner's interpretation of Holbrook. Column 9, lines 2-6 of Holbrook state:

For example, the window 202 in this particular embodiment shows two textual alternatives from which the user selects, either the first numerically ranked matching "1-50 sites", "1-100 sites" (not shown) or "all" (not shown), per search to be displayed.

(Holbrook, column 9, lines 2-6). This section of Holbrook describes an interface in which a user may select that either the first 50 or the first 100 web sites matching a search query be displayed. In no way can this section of Holbrook be

said to disclose or suggest ranking the lists of search results relative to one another, as recited in claim 1. The cited portion of column 10 of Holbrook states:

As shown in FIG. 4, each matching web site for the search request in this embodiment is represented by its rank number. In the example shown, each matching web site or data element is represented by a bulb-like category member icon 402 having the web site's relative rank number depicted therein, such graphical representation referred to herein as a "web site icon or category member icon,"

(Holbrook, column 10, lines 34-40). This section of Holbrook discloses representing web sites by a "bulb-like category member icon 402" in which the relative rank number of the web site is depicted. As discussed above, obtaining and displaying a rank number for a web site is not equivalent to, as recited in claim 1, ranking lists of search results relative to one another.

Claim 1 further recites generating a document in which the search results are placed in an organization determined based, at least in part, on the ranking of the lists of search results. Holbrook also does not disclose or suggest this aspect of claim 1. As an initial matter, Applicants note that because Holbrook does not disclose ranking the lists of search results as recited in claim 1, Holbrook could not possibly disclose generating the document as recited in claim 1. Further, Applicants submit that although Holbrook describes the generation of a document in which search results are presented in graphical categories 420, the categories 420 of Holbrook do not appear to be described as being organized in any particular manner, much less in the manner recited in claim 1, in which the search results are placed in an organization determined based, at least in part, on the ranking of the lists of search results.

Claim 1, as amended, further recites that the plurality of document categories include an image category. Applicants submit that Holbrook also fails to disclose or suggest this aspect of claim 1.

For at least these reasons, Applicants submit that Holbrook does not disclose or suggest each of the features of claim 1, and accordingly, the rejection of claim 1 based on Holbrook should be withdrawn. Claims 2-13 depend, either directly or indirectly, on Holbrook, and therefore, the rejection of these claims should also be withdrawn.

Independent claim 14 also stands rejected under 35 U.S.C. § 102(e) based on Holbrook.

Claim 14, as amended, is directed to a search engine that includes, among other things, a ranking component configured to rank the lists of search results relative to one another, the ranking being based on the search query and including looking for predetermined terms in the search query that tend to indicate a particular document category is likely to be related to the search query. Holbrook does not disclose or suggest this feature of claim 14.

As previously discussed, Holbrook does not disclose or suggest ranking lists of search results relative to one another. Holbrook, at most, can be said to rank web documents to a search query, but Holbrook does not disclose or suggest a ranking component configured to rank a list of search results relative to one another, as recited in claim 14. Additionally, Applicants submit that Holbrook completely fails to disclose or suggest that the ranking is based on the search query and includes looking for predetermined terms in the search query that tend

to indicate a particular document category is likely to be related to the search query, as is also recited in claim 14.

For at least these reasons, Applicants submit that Holbrook does not disclose or suggest each of the features of claim 14, and accordingly, the rejection of claim 14 based on Holbrook should be withdrawn. Claims 15-19 depend, either directly or indirectly, on Holbrook, and therefore, the rejection of these claims should also be withdrawn.

Independent claim 21 also stands rejected under 35 U.S.C. § 102(e) based on Holbrook.

Claim 21, as amended, is directed to a method of organizing documents categorized into a plurality of categories. The method includes, among other things, ranking the plurality of categories based on contents of the documents in each of the categories, the ranking also including looking for predetermined terms in the search query that tend to indicate a particular document category is likely to be related to the search query. Holbrook does not disclose or suggest this feature of claim 21.

Holbrook does not disclose or suggest ranking a plurality of categories based on contents of the documents in each of the categories. Holbrook, at most, can be said to rank web documents to a search query, but Holbrook does not disclose or suggest ranking categories, as recited in claim 21. Additionally, Applicants submit that Holbrook completely fails to disclose or suggest that the ranking also includes looking for predetermined terms in the search query that tend to indicate a particular document category is likely to be related to the search query, as is also recited in claim 21.

For at least these reasons, Applicants submit that Holbrook does not disclose or suggest each of the features of claim 21, and accordingly, the rejection of claim 21 based on Holbrook should be withdrawn. Claims 23-27 depend, either directly or indirectly, on Holbrook, and therefore, the rejection of these claims should also be withdrawn.

Independent claim 30 also stands rejected under 35 U.S.C. § 102(e) based on Holbrook.

Claim 30 recites features similar to, although different in scope than, those recited in claim 1. Accordingly, for reasons similar to those given above with respect to claim 1, Applicants submit that the rejection of claim 30 is improper and should be withdrawn. The rejection of claim 31, at least by virtue of its dependency from claim 30, should also be withdrawn.

Conclusion

For at least the foregoing reasons, Applicants respectfully request the reconsideration of this application and the allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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